

**IT IS SO ORDERED.**

**Dated: 11:53 AM September 22 2009**



**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO**

**IN RE:**

**LORRAINE IVA CADLE**

**Debtor**

**IN PROCEEDINGS UNDER CHAPTER 13**

**CASE NO: 08-54765**

**JUDGE: MARILYN SHEA-STONUM**

**AGREED ORDER FOR RELIEF FROM STAY**  
**(9710 Yale Road, Deerfield, OH 44411)**

This matter came to be considered on the Motion for Relief from Stay (the "Motion") filed by U.S. Bank N.A., its Successors and/or Assigns ("Movant") and Response on said Motion filed by Lorraine Iva Cadle ("Debtor").

Movant has alleged that good cause exists for granting the Motion and that Debtor, counsel for Debtor, the Chapter 13 Trustee, and all other necessary parties were served with this Motion and with notice of the hearing date for this Motion; and

The parties have entered into an agreement resolving the Motion.

**IT IS, THEREFORE, ORDERED:**

1. The Debtor shall cure her post-petition mortgage arrearage of \$2,089.08, which consists of missed mortgage payments in the monthly amount of \$502.15 and late charges in the monthly amount of \$20.09, accrued from May 2009 through August 2009. The Debtor is willing to cure said arrearage by Movant applying \$31.40 to the loan, which is currently in the Debtor's suspense account. Also, by Movant accepting and applying check #1007 in the amount of \$1,010.00, check #1008 in the amount of \$505.00, and check #50558929 in the amount of \$555.00 to the loan. Movant is hereby granted leave to file a Supplemental Proof of Claim in the amount of \$575.00 for \$425.00 attorney fees and \$150.00 court costs incurred with the filing of the Motion for Relief from Stay. The Debtor shall maintain her regular monthly payments to Movant outside the Chapter 13 plan beginning with a payment due on September 1, 2009. Failure by the Debtor to make any payment within 30 days of the date due shall constitute a default.
2. Upon existence of a default, Movant's counsel may send counsel for Debtor a 10-day notice of Movant's intent to file an affidavit and proposed order granting relief from stay.

3. If the default is not cured within that 10-day period, then upon the filing of an affidavit by Movant attesting to the default by the Debtor, an Order shall be entered without further hearing, terminating the stay imposed by § 362(a) of the Bankruptcy Code with respect to Movant, its successors and assigns.

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**SUBMITTED AND APPROVED BY:**

/s/ Christian E. Niklas Esq.

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/s/ Robert Ciotola

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Attorney for Debtor

/s/ Keith L. Rucinski

Keith L. Rucinski, Chapter 13 Trustee  
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## **CERTIFICATE OF MAILING**

### **Served by Regular U.S. Mail**

Lorraine Iva Cadle  
9710 Yale Road  
Deerfield, OH 44411  
Debtor

Duane Cadle  
9710 Yale Road  
Deerfield, OH 44411  
Party in Interest

Office of the U.S. Trustee  
Howard M. Metzenbaum U.S. Courthouse  
201 Superior Ave., East – Ste. 441  
Cleveland, OH 44114

### **Electronic Mail Notice List**

The following is a list of parties who are currently on the list to receive e-mail notice/service for this case:

Keith Rucinski  
efilings@ch13akron.com  
Chapter 13 Trustee

Robert Ciotola  
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Attorney for Debtor

Christian E. Niklas, Esq.  
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Attorney for Movant

09-001089; mn; August 28, 2009